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SEP 23 2003

DATE: September 22, 2003**PTO IDENTIFIER:** Application Number 09/577,637
Patent Number**Inventor:** George A. SALIBA**OFFICIAL****MESSAGE TO:** M. Ali, Group Art Unit 2177**FAX NUMBER:** (703) 746-7238**FROM:** MORRISON & FOERSTER LLP

Peter J. Yim

PHONE: (415) 268-6373**Attorney Dkt. #:** 249212013300**PAGES (Including Cover Sheet):** 12**CONTENTS:**

Re: U.S. Patent Application Serial No. 09/577,637
For: DATA STORAGE DEVICES FOR LARGE SIZE
DATA STRUCTURES
By: George A. Saliba
Our reference: 24921-20133.00

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MORRISON & FOERSTER LLP
425 Market Street, San Francisco, California 94105
Telephone: (415) 268-7000 Facsimile: (415) 268-7522

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Dated: September 22, 2003

Signature:

Valerie Cohen
(Valerie Cohen)Docket No.: 249212013300
(PATENT)**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Patent Application of:
George SALIBA

Application No.: 09/577,637

Group Art Unit: 2177

Filed: May 24, 2000

Examiner: M. Ali

For: DATA STORAGE DEVICES FOR LARGE
SIZE DATA STRUCTURES

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SEP 23 2003

OFFICIAL**COMMUNICATION REGARDING NOTICE OF APPEAL**

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Commissioner for Patents
P.O. Box 1450
Alexandria, Virginia 22313-1450

Dear Sir:

This is a communication regarding the Notice of Appeal dated July 10, 2003 for the above-referenced application. On July 10, 2003, a Notice of Appeal, Petition for Extension of Time, and the associated fees in connection with the above matter were filed by facsimile. Subsequently, on September 10, 2003, an Appeal Brief was filed by facsimile. On September 17, 2003, Examiner Mohammad Ali, of Group Art Unit 2177 and handling examiner in this matter, called the undersigned to note that the Notice of Appeal had not been received.

Attached is the confirmation fax sheet from the U.S. Patent Office confirming receipt of the July 10, 2003 filing of the Notice of Appeal, Petition for Extension of Time, Fee Transmittal, and associated papers. Also attached are copies of the Notice of Appeal, Petition for Extension of Time, Fee Transmittal, and associated papers, which were filed by facsimile on July 10, 2003.

Based on the attached confirmation fax sheet, the undersigned requests that the U.S. Patent Office update its database to reflect that the Notice of Appeal was filed by facsimile in a timely manner on July 10, 2003.

sf-1571109

Application No.: 09/577,637

2

Docket No.: 249212013300

In the unlikely event that the transmittal letter is separated from this communication and/or the Patent Office determines that an extension and/or other relief is required, applicant petitions for any required relief including extensions of time and authorizes the Commissioner to charge the cost of such petitions and/or other fees due in connection with the filing of this document to Deposit Account No. 03-1952 referencing docket no. 249212013300. However, the Commissioner is not authorized to charge the cost of the issue fee to the Deposit Account.

Dated: September 22, 2003

Respectfully submitted,

By 

Peter J. Yim

Registration No.: 44,417

MORRISON & FOERSTER LLP

425 Market Street

San Francisco, California 94105

(415) 268-7000

Attorneys for Applicant

sf-1571109



28A

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TO:

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JUL 10 2003 11:44AM MOFO 28TH FL 48		AQ 645 P. 1	
FAX TRANSMISSION			
DATE: July 10, 2003			
PTO IDENTIFIER: Application Number 09/577,637			
Patent Number			
Inventor: George SALIBA			
MESSAGE TO: BOARD OF APPEALS AND INTERFERENCES			
FAX NUMBER: (708) 746-7138			
FROM: MORRISON & FOERSTER LLP			
Peter J. Yiu			
PHONE: (415) 268-6373			
Attorney Dkt. #: 249312018800			
PAGES (including Cover Sheet): 7			
CONTENTS: Transmittal (1 page); Fee Transmittal (in duplicate) Notice of Appeal (1 page) Petition for Extension of Time (1 page) Certificate of Transmission Under 37 CFR 1.8 (1 page) Charge \$750.00 to deposit account 03-1952.			
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* * * TRANSMISSION RESULT REPORT (JUL. 10. 2003 11:17AM) * * *

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JUL. 10.	11:14AM		USPTO	GSES	2'36"	P. 7 OK		045

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M : MEMORY
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D : DETAIL

S : TRANSFER
B : FORWARDING
F : FINE

P : POLLING
E : ECM

FAX TRANSMISSION**COPY**

DATE: July 10, 2003

PTO IDENTIFIER: Application Number 09/577,637

Patent Number

Inventor: George SALIBA

MESSAGE TO: BOARD OF APPEALS AND INTERFERENCES

FAX NUMBER: (703) 746-7238

FROM: MORRISON & FOERSTER LLP

Peter J. Yim

PHONE: (415) 268-6373

Attorney Dkt. #: 249212013300

PAGES (Including Cover Sheet): 7

CONTENTS: Transmittal (1 page);
Fee Transmittal (in duplicate)
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Petition for Extension of Time (1 page)
Certificate of Transmission Under 37 CFR 1.8 (1 page)
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SF-1500139

By ajrDate 7-11-03

ajr
Appeal Brief Due - 9/10/03
Appeal Brief D.L. - 8/10/03

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PTO/SB/21 (08-00)

Approved for use through 10/31/2002. OMB 0551-0031

U.S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE


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TRANSMITTAL FORM <i>(to be used for all correspondence after initial filing)</i>		Application Number	09/577,637
		Filing Date	May 24, 2000
		First Named Inventor	George SALIBA
		Group Art Unit	2177
		Examiner Name	M. Ali
Total Number of Pages in This Submission	6	Attorney Docket Number	249212013300

ENCLOSURES (check all that apply)

<input checked="" type="checkbox"/> Fee Transmittal Form (in duplicate) <input type="checkbox"/> Fee Attached <input type="checkbox"/> Amendment/Reply <input type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s) <input checked="" type="checkbox"/> Extension of Time Request (1 page) <input type="checkbox"/> Express Abandonment Request <input type="checkbox"/> Information Disclosure Statement <input type="checkbox"/> Certified Copy of Priority Document(s) <input type="checkbox"/> Response to Missing Parts/Incomplete Application <input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53	<input type="checkbox"/> Assignment Papers (for an Application) <input type="checkbox"/> Drawing(s) <input type="checkbox"/> Licensing-related Papers <input type="checkbox"/> Petition <input type="checkbox"/> Petition to Convert to a Provisional Application <input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Request for Refund <input type="checkbox"/> CD, Number of CD(s) _____	<input type="checkbox"/> After Allowance Communication to Group <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input checked="" type="checkbox"/> Appeal Communication to Group (1 Page) (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input checked="" type="checkbox"/> Other Enclosure(s) (please identify below) Facsimile Return Receipt Cover
Remarks		

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

Firm or Individual Name	MORRISON & FOERSTER LLP Peter J. Yim - 44,417
Signature	
Date	July 10, 2003

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Signature: Valerie Cohen (Valerie Cohen)

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**FEE TRANSMITTAL
for FY 2003**

Patent fees are subject to annual revision.

<input type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27		Complete if Known	
TOTAL AMOUNT OF PAYMENT		(\$)	730.00
		Application Number	09/577,637
		Filing Date	May 24, 2000
		First Named Inventor	George SALIBA
		Examiner Name	M. Ali
		Group Art Unit	2177
		Attorney Docket No.	249212013300

METHOD OF PAYMENT (check all that apply) <input type="checkbox"/> Check <input type="checkbox"/> Credit Card <input type="checkbox"/> Money Order <input type="checkbox"/> Other <input type="checkbox"/> None <input checked="" type="checkbox"/> Deposit Account Deposit Account Number: 03-1952 Deposit Account Name: Morrison & Foerster LLP The Commissioner is hereby authorized for (check all that apply): <input checked="" type="checkbox"/> Charge fee(s) indicated below <input checked="" type="checkbox"/> Credit any overpayments <input checked="" type="checkbox"/> Charge any additional fee(s) during the pendency of this application <input type="checkbox"/> Charge fee(s) indicated below, except for the filing fee to the above-identified deposit account.		3. ADDITIONAL FEES FOR FEE PROCESSING <table border="1"> <thead> <tr> <th>Large Entity Fee Code</th> <th>Small Entity Fee Code</th> <th>Fee Description</th> <th>Fee Paid</th> </tr> </thead> <tbody> <tr><td>1051</td><td>130</td><td>2051 65 Surcharge - late filing fee or oath</td><td></td></tr> <tr><td>1052</td><td>50</td><td>2052 25 Surcharge - late provisional filing fee or cover sheet</td><td></td></tr> <tr><td>1053</td><td>130</td><td>1053 130 Non-English specification</td><td></td></tr> <tr><td>1812</td><td>2,520</td><td>1812 2,520 For filing a request for ex parte reexamination</td><td></td></tr> <tr><td>1804</td><td>920*</td><td>1804 920* Requesting publication of SIR prior to Examiner action</td><td></td></tr> <tr><td>1805</td><td>1,840*</td><td>1805 1,840* Requesting publication of SIR after Examiner action</td><td></td></tr> <tr><td>1251</td><td>110</td><td>2251 55 Extension for reply within first month</td><td></td></tr> <tr><td>1252</td><td>410</td><td>2252 205 Extension for reply within second month</td><td>410</td></tr> <tr><td>1253</td><td>830</td><td>2253 465 Extension for reply within third month</td><td></td></tr> <tr><td>1254</td><td>1,450</td><td>2254 725 Extension for reply within fourth month</td><td></td></tr> <tr><td>1255</td><td>1,870</td><td>2255 985 Extension for reply within fifth month</td><td></td></tr> <tr><td>1401</td><td>320</td><td>2401 160 Notice of Appeal</td><td>320</td></tr> <tr><td>1402</td><td>320</td><td>2402 160 Filing a brief in support of an appeal</td><td></td></tr> <tr><td>1403</td><td>280</td><td>2403 140 Request for oral hearing</td><td></td></tr> <tr><td>1451</td><td>1,510</td><td>1451 1,510 Petition to institute a public use proceeding</td><td></td></tr> <tr><td>1452</td><td>110</td><td>2452 55 Petition to revive - unavoidable</td><td></td></tr> <tr><td>1453</td><td>1,300</td><td>2453 650 Petition to revive - unintentional</td><td></td></tr> <tr><td>1501</td><td>1,300</td><td>2501 650 Utility issue fee (or reissue)</td><td></td></tr> <tr><td>1502</td><td>470</td><td>2502 235 Design issue fee</td><td></td></tr> <tr><td>1503</td><td>630</td><td>2503 315 Plant issue fee</td><td></td></tr> <tr><td>1460</td><td>130</td><td>1460 130 Positions to the Commissioner</td><td></td></tr> <tr><td>1807</td><td>50</td><td>1807 50 Processing fee under 37 CFR 1.17(a)</td><td></td></tr> <tr><td>1806</td><td>180</td><td>1806 180 Submission of Information Disclosure Stmt</td><td></td></tr> <tr><td>8021</td><td>40</td><td>8021 40 Recording each patent assignment per property (times number of properties)</td><td></td></tr> <tr><td>1809</td><td>750</td><td>2809 375 Filing a submission after final rejection (37 CFR 1.129(a))</td><td></td></tr> <tr><td>1810</td><td>750</td><td>2810 375 For each additional invention to be examined (37 CFR 1.129(b))</td><td></td></tr> <tr><td>1801</td><td>750</td><td>2801 375 Request for Continued Examination (RCE)</td><td></td></tr> <tr><td>1802</td><td>900</td><td>1802 900 Request for expedited examination of a design application</td><td></td></tr> </tbody> </table>		Large Entity Fee Code	Small Entity Fee Code	Fee Description	Fee Paid	1051	130	2051 65 Surcharge - late filing fee or oath		1052	50	2052 25 Surcharge - late provisional filing fee or cover sheet		1053	130	1053 130 Non-English specification		1812	2,520	1812 2,520 For filing a request for ex parte reexamination		1804	920*	1804 920* Requesting publication of SIR prior to Examiner action		1805	1,840*	1805 1,840* Requesting publication of SIR after Examiner action		1251	110	2251 55 Extension for reply within first month		1252	410	2252 205 Extension for reply within second month	410	1253	830	2253 465 Extension for reply within third month		1254	1,450	2254 725 Extension for reply within fourth month		1255	1,870	2255 985 Extension for reply within fifth month		1401	320	2401 160 Notice of Appeal	320	1402	320	2402 160 Filing a brief in support of an appeal		1403	280	2403 140 Request for oral hearing		1451	1,510	1451 1,510 Petition to institute a public use proceeding		1452	110	2452 55 Petition to revive - unavoidable		1453	1,300	2453 650 Petition to revive - unintentional		1501	1,300	2501 650 Utility issue fee (or reissue)		1502	470	2502 235 Design issue fee		1503	630	2503 315 Plant issue fee		1460	130	1460 130 Positions to the Commissioner		1807	50	1807 50 Processing fee under 37 CFR 1.17(a)		1806	180	1806 180 Submission of Information Disclosure Stmt		8021	40	8021 40 Recording each patent assignment per property (times number of properties)		1809	750	2809 375 Filing a submission after final rejection (37 CFR 1.129(a))		1810	750	2810 375 For each additional invention to be examined (37 CFR 1.129(b))		1801	750	2801 375 Request for Continued Examination (RCE)		1802	900	1802 900 Request for expedited examination of a design application	
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1. BASIC FILING FEE		2. EXTRA CLAIM FEES FOR UTILITY AND REISSUE	
Large Entity Fee Code	Small Entity Fee Code	Fee Description	Fee Paid
1001 750	2001 375	Utility filing fee	
1002 330	2002 165	Design filing fee	
1003 520	2003 260	Plant filing fee	
1004 750	2004 375	Reissue filing fee	
1005 160	2005 80	Provisional filing fee	
SUBTOTAL (1)		(\$)	0.00
Total Claims: <input type="text"/> -- = <input type="text"/> x <input type="text"/> = <input type="text"/> Independent Claims: <input type="text"/> -- = <input type="text"/> x <input type="text"/> = <input type="text"/> Multiple Dependent: <input type="text"/> = <input type="text"/>		Extra Claims: <input type="text"/> Fee from below: <input type="text"/> Fee Paid: <input type="text"/> Fee from below: <input type="text"/> Fee Paid: <input type="text"/>	
Large Entity Fee Code	Small Entity Fee Code	Fee Description	Fee Paid
1202 18	2202 9	Claims in excess of 20	
1201 84	2201 42	Independent claims in excess of 3	
1203 280	2203 140	Multiple dependent claim, if not paid	
1204 84	2204 42	** Reissue independent claims over original patent	
1205 18	2205 9	** Reissue claims in excess of 20 and over original patent	
SUBTOTAL (2)		(\$)	0.00
SUBMITTED BY: Name (Print/Type) Peter J. Yim Signature: <i>Peter J. Yim</i> Registration No. (Attorney/Agent) 44,417 Telephone (415) 268-6373 Date July 10, 2003		Complete (if applicable) SUBTOTAL (3) (\$ 730.00)	

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Valerie Cohen (Valerie Cohen)

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